

State of Arizona  
House of Representatives  
Forty-ninth Legislature  
First Regular Session  
2009

House Engrossed  
**FILED**  
**KEN BENNETT**  
**SECRETARY OF STATE**

CHAPTER 171

# HOUSE BILL 2401

AN ACT

AMENDING TITLE 41, CHAPTER 6, ARTICLE 4.1, ARIZONA REVISED STATUTES, BY  
ADDING SECTION 41-1046; AMENDING TITLE 41, CHAPTER 27, ARTICLE 2, ARIZONA  
REVISED STATUTES, BY ADDING SECTION 41-3017.13; RELATING TO THE  
ADMINISTRATIVE RULES OVERSIGHT COMMITTEE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 41, chapter 6, article 4.1, Arizona Revised Statutes,  
3 is amended by adding section 41-1046, to read:

4 41-1046. Administrative rules oversight committee; membership;  
5 appointment; staffing; meetings

6 A. THE ADMINISTRATIVE RULES OVERSIGHT COMMITTEE IS ESTABLISHED. THE  
7 COMMITTEE HAS OVERSIGHT OVER ANY RULES EXCEPT THOSE RULES EXEMPTED BY SECTION  
8 41-1005.

9 B. THE COMMITTEE CONSISTS OF THE FOLLOWING ELEVEN MEMBERS:

10 1. FIVE MEMBERS OF THE HOUSE OF REPRESENTATIVES WHO ARE APPOINTED BY  
11 THE SPEAKER OF THE HOUSE OF REPRESENTATIVES. NO MORE THAN THREE OF THE  
12 MEMBERS WHO ARE APPOINTED UNDER THIS PARAGRAPH MAY BE MEMBERS OF THE SAME  
13 POLITICAL PARTY. THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL DESIGNATE  
14 A MEMBER TO SERVE AS COCHAIRPERSON OF THE COMMITTEE.

15 2. FIVE MEMBERS OF THE SENATE WHO ARE APPOINTED BY THE PRESIDENT OF  
16 THE SENATE. NO MORE THAN THREE OF THE MEMBERS WHO ARE APPOINTED UNDER THIS  
17 PARAGRAPH MAY BE MEMBERS OF THE SAME POLITICAL PARTY. THE PRESIDENT OF THE  
18 SENATE SHALL DESIGNATE A MEMBER TO SERVE AS COCHAIRPERSON OF THE COMMITTEE.

19 3. THE GOVERNOR OR THE GOVERNOR'S DESIGNEE WHO IS NOT AN APPOINTED  
20 AGENCY DIRECTOR.

21 C. THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF  
22 THE SENATE SHALL MAKE THE APPOINTMENTS TO THE COMMITTEE ON OR BEFORE OCTOBER  
23 1, 2009. MEMBERS SERVE AT THE PLEASURE OF THEIR RESPECTIVE APPOINTING  
24 OFFICER.

25 D. THE LEGISLATIVE COUNCIL SHALL STAFF THE COMMITTEE.

26 E. THE COMMITTEE SHALL MEET ON THE CALL OF EITHER OF ITS  
27 COCHAIRPERSONS.

28 F. A PARTY CONTESTING THE LEGALITY OF A RULE, AGENCY PRACTICE OR  
29 SUBSTANTIVE POLICY STATEMENT IS NOT REQUIRED TO FILE A COMPLAINT WITH THE  
30 COMMITTEE TO EXHAUST ITS ADMINISTRATIVE REMEDIES.

31 Sec. 2. Title 41, chapter 27, article 2, Arizona Revised Statutes, is  
32 amended by adding section 41-3017.13, to read:

33 41-3017.13. Administrative rules oversight committee;  
34 termination July 1, 2017

35 A. THE ADMINISTRATIVE RULES OVERSIGHT COMMITTEE TERMINATES ON JULY 1,  
36 2017.

37 B. TITLE 41, CHAPTER 6, ARTICLE 4.1 IS REPEALED ON JANUARY 1, 2018.

38 Sec. 3. Purpose

39 Pursuant to section 41-2955, subsection B, Arizona Revised Statutes,  
40 the purpose of the administrative rules oversight committee is to review any  
41 proposed or final rule, summary rule, agency practice alleged to constitute a  
42 rule or substantive policy statement for conformity with statute and  
43 legislative intent.

APPROVED BY THE GOVERNOR JULY 13, 2009.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JULY 13, 2009.